



AI 2632

Appl, No. 09/756,345

Applicant : Deane Dorwin McMillen
Appl. No. : 09/756,345
Filed : April 24, 2001
Title : Newspaper Box Monitor
GRP/A.U. : 2632
Examiner : Van T Trieu
Honorable Comissioner for Patents
Washington DC 20231

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AUG 31 2004

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RESPONSE/ARGUMENTS

Office Action Summaary filed on 17 February 2004

1X Responsive to Communications fild on 17 February 2004. That is when I was requesting when I should receive a reply about the Communications that were filed on 15 September 2003. about 5 mounths after they were filed, then I did not get a reply until 05/25/2004. When I would cALL I would get, It Is at His Desk.

2aX This action should not be final, as a curbside newspaper box and a curbside MAREK (US 5,898,371) curbside Mailbox are differnt kinds of delivery boxes. I had the United States Postal Service Bulletin 22102 in the last Communications filed and on the page 5 4. Applicants arguments (B) The United States Postal Service Postal Bulletin 22102 Prohibit to use a Newspaper Box as a Mail Box.
Response to the Aruments: Read (A) and (B) Marek is still called a Mailbox and Postal Bulletin 22102 states that an unapproved box is prohibited (a curbside newspaper box is open to the wheather and all of the Mail would get wet, nobody checked with the Post Office, ask for the Postmaster, they will give you the regulations about Postal Bulletin 22102.

4X Claim(s) 4,7 and 8 is/are pending. These are newspaper boxes and it has already been proven that Marek (US 5,898,371) has Dis-closed his box as a mailbox all the way through his Patent.

6X Claim(s) 4,7 and 8 are rejected. Is there any one there at the Patent Office, that can find a US POST OFFICE and find out about Postal Bulletin 22102. to prove that a curbside newspaper box can be used as a curbside US MAILBOX, BUT DONOT FORGET THAT A CURBSIDE NEWSPAPER BOX IS NOT PROTECTED FROM THE WEATHER, THEY ARE AN OPEN BOX AND AND ALL OF THE, US MAIL WOULD GET WET WHEN IT IS RAINING OUTSIDE.

DETAILED ACTION -- Page 2

Claim REjections - 35 U.S.C. 102 (b)

The curbside newspaper box monitor was never Patented in this or a foreign country. A curbside newspaper box is prohibited to be used as a curbside Mailbox - United States Postal Bulletin 22102. Go to any United States Post Office AND talk to the postmaster and you will find out about Postal Bulletin 22102. And while you are there ask about POSTAL OPERATIONS MAMUAL 137.46 - Mailable Matter not bearing paid postage in Private Receptacles (it will prove that a newspaper delivery person can not put a newspaper into a US Mailbox). Then ask about Operations Manual 632.528 - Unstamped Newspapers - Curbside US Mailboxes are to be used for Postage Paid Mail only, except for newspapers regularly mailed at Periodicale Rates. Every one on that mail route would get a free newspaper in there Mailbox, paid for by the company that is sending that newspaper, just like all the advertisments that are paid for and sent and delivered to all the Mailboxes that are on that route. Ask a Postmaster at any Post Office in the United States about these regulations, as that will prove that a newspaper box and a Mailbox are a different kind of boxes, because a newspaper box is open at the front with drainage holes in the bottom and is not weather proof, and all of the US Mail would get wet when it is raining, and that is why a newspaper box is unapproved and prohibited to be used as a US Mailbox. Now why has nobody in the US Patent Office has never checked with the Postal Service about Postal Bulletin 22102, about the rules and the regulations to prove that I am wrong, as the last communications filed 15 September, 2003 had thePostal Bulletin 22102 mailed with it. No Claims shoud be rejected. Claim 4 can not be rejected because it is not a Mailbox Claim and all of Marek (US 5,898,371 are Rejecions for Mailboxes, as Marek has always disclosed all the way through his Patent that his Mailbox is a Mailbox. Postal Bulletin 22102 as a newspaper box is an Unapproved box to be used as a US MAILBOX, because all of the Mail would get wet when it rains.

1. Regarding Claim 4 - Claim 4 can not be rejaected because it

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is a curbside newspaper box Claim and all of Marek (US 5, 898,371) rejections are all Mailbox Claim rejections. Not one person from the Patent Office has ever checked with the United Postal Service about Postal Bulletin 22102 (there is one enclosed) and there was one enclosed in the last communication page 5 (B) then response (B) when no one even checked with the Postal Service that they change the laws from time to time about rules and regulations about a US MAILBOX.

Marek (US 5,898,371) was anticipated by Benages (US 4,794,377) Date of Patent December 27, 1988 - READ THE ABSTRACT - BACKGROUND OF THE INVENTION AND SUMMARY OF THE INVENTION AND LOOK AT SHEET 1 OF 2, they all relate to providing a signal in the residence, radio frequency, transmitter and receiver, optical sensing system, micro-switch, optical light photocell, and photodiode in a mailbox (about every thing in Mareks (US 5,898,371) patent Date April 27, 1999, would not have got a Patent if his box was not built vertical, all the other curbside Mailboxes are built horizontal.

Claim Rejections - 35 USC - 103 (a) Page 2 and page 3
The Invention is not identically disclosed or described as set forth in section 102 of this title, they are 2 different kinds of boxes that are being patented no matter what the skill of the inventor, because if two things are called the same thing like trucks, a pick-up truck and a simi-truck, they are trucks that haul things from one place to another. But they are Patented differently, the Motors, transmissions, differentials, axles and brakes. That is the same thing with a Mailbox and a Newspaper box, they receive items into them. A curbside Mailbox is a box to receive Postage Paid Mail Only. A curbside Newspaper Box is used by the newspaper companies delivery person to place there newspaper into, sometimes there are 2 or 3 different newspaper companies newspaper boxes at the roadside in the front of some property, and they use their own curbside newspaper boxes to deliver them into. A Mailbox is weather proof, but a Curbside newspaper box is open at the front with drainage holes in the bottom, that is why the newspaper box can not be used as a Mailbox, as all the Mail would get wet when it is raining.